

Response

A. Introduction

Claims 1-4, 7-12, and 21-23 remain pending in the application without further amendment. After withdrawing previous rejections of these claims, the Examiner--rather than allowing the claims--initially rejected them again, now citing principally U.S. Patent No. 4,624,208 to Hyne. According to the Examiner, claims 1-4 and 7 purportedly are anticipated by the subject matter of the Hyne patent, while claims 8 and 12 are obvious over the combined disclosures of the Hyne patent and U.S. Patent No. 5,088,434 to Harding, claims 9-11 are obvious over the Hyne patent considered together with U.S. Patent No. 5,154,134 to Goldsmith, and claims 21-23 are obvious over the combined disclosures of the Hyne patent and U.S. Patent No. 4,251,893 to McCrory, et al. The Examiner additionally objected to Applicant's substitute drawings as potentially including subject matter not included in the original ones.

B. Objections to the Drawings

Attached hereto behind Tab A is a revised version of FIG. 1 for the application omitting the "small holes" to which the Examiner objected. The Examiner is, however, incorrect in believing that these holes are "receptacles 30." Rather, receptacles 30 are depicted in FIG. 1 as being or including (longitudinally-oriented) tracks, consistent with the specification and the originally-filed version of that figure. For additional consistency with the originally-filed version, in the version attached behind Tab A, Applicant has extended the tracks to include ones closer to the bow.

Applicant disagrees with the Examiner's remaining objections to FIGS. 1 and 7, as Applicant's copies of the originally-filed figures clearly support the simplified deck structure and mounting apparatus of FIGS. 1 and 7. Applicant accordingly requests that the revisions to FIG. 1 be accepted and that it, and FIGS. 2-7 as submitted September 17, 2004, be entered.

C. Claim Rejections

Applicant has not further amended any claim of the application. Not only is no further revision to any claim necessary for its allowance, Applicant believes the Examiner has failed to establish even a *prima facie* case for any rejection. Applicant accordingly requests that the Examiner withdraw the current rejections as improper and allow claims 1-4, 7-12, and 21-23 without further action.

1. Independent Claim 1

Recited in claim 1 is a boat comprising:

- a. a deck including a receptacle; and
- b. an accessory firmly connected to the deck but removable therefrom, the accessory (i) being fitted into the receptacle in use and (ii) including ***a quick-release fastener received by the receptacle*** in use.

According to the Examiner, c-shaped clamp spring 24 of the Hyne patent is a "receptacle," stringer 11 is an "accessory," and pin 28 is a "quick-release fastener." In the context of the claimed invention, Applicant disagrees.

Nevertheless, even *assuming* (but not conceding) pin 28 of the Hyne patent is a "quick-release fastener" and clamp spring 24 is a "receptacle," as the Examiner contends, clear is that pin 28 is *not* received by clamp spring 24. ***Instead, pin 28 is received by slots in stringers 11--which the Examiner considers to be the***

“accessory” of claim 1. Thus, under no circumstance does the Hyne patent disclose or suggest the fastener (*i.e.* pin 28) being received by the receptacle (*i.e.* clamp spring 24), ***contrary to the Examiner’s (unsupported) contention.*** For at least this reason, the Examiner has failed to establish even a *prima facie* basis for rejecting any of claims 1-4, 7-11, and 21-23, and Applicant (again) requests that the improper rejections be withdrawn.

2. Independent Claim 12

Independent claim 12 recites the actions of deflating an inflatable element of an inflatable boat, “disconnecting at least one accessory from a deck spanning substantially the length of the boat,” and removing the deck. The Examiner contends that claim 12 would somehow be obvious over, principally, the disclosure of the Hyne patent, even though that patent discloses absolutely ***none*** of the actions recited in the claim. See Office Action at p. 5 (where the Examiner acknowledges failure of the Hyne patent to teach actions a., b., and c.). Although the Harding patent arguably discloses deflating inflatable elements and removing decks, ***neither it nor the Hyne patent addresses disconnecting accessories from decks in the context recited in claim 12.***

Indeed, ***the Examiner apparently concedes this***, as ***nowhere*** in the Office Action does he identify where this aspect of claim 12 is taught in either cited reference. Instead, he again simply ***baldly assumes*** that one skilled in the art would know to practice all three actions of claim 12. Applicant hence considers this rejection of the Examiner too to lack even *prima facie* basis and requests that it be withdrawn and that claim 12 be allowed.

Conclusion

Applicant requests that the Examiner allow claims 1-4, 7-12, and 21-23
and that a patent containing these claims issue in due course.

Respectfully submitted,



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Amendment to the Drawings

Kindly amend FIG. 1 by substituting the version appearing behind Tab A for that originally filed. Applicant has deleted from this figure the “small holes” to which the Examiner objected.